

hundred and thirty eight, if any Tenant holding any Lands, Tenements, or Hereditaments, at a Rack-rent, or where the Rent reserved shall be full Three fourths of the yearly Value of the demised Premises, who shall be in Arrear for one Year's Rent, shall desert the demised Premises, and leave the same uncultivated or unoccupied, so as no sufficient Distress can be had to countervail the Arrears of Rent; it shall and may be lawful to and for Two or more Justices of the Peace of the County, Riding, Division, or Place (having no Interest in the demised Premises) at the Request of the Lessor or Landlord, Lessors or Landlords, or his, her, or their Bailiff or Receiver, to go upon and view the same, and to affix, or cause to be affixed, on the most notorious Part of the **740** Premises \*Notice in Writing, what Day (at the Distance of Fourteen Days at least) they will return to take a second View thereof; and if upon such second View the Tenant, or some Person on his or her Behalf, shall not appear, and pay the Rent in Arrear, or there shall not be sufficient Distress upon the Premises; then the said Justices may put the Landlord or Landlords, Lessor or Lessors, into the Possession of the said demised Premises; and the Lease thereof to such Tenant, as to any Demise therein contained only, shall from thenceforth become void.

XVII. Provided always, That such Proceedings of the said Justices shall be examinable in a summary Way by the next Justice or Justices of Assize of the respective Counties, in which such Lands or Premises lie; and if they lie in the City of *London* or County of *Middlesex*, by the Judges of the Courts of King's Bench or Common Pleas; and if in the Counties Palatine of *Chester*, *Lancaster*, or *Durham*, then before the Judges thereof; and if in Wales, then before the Courts of Grand-sessions respectively; who are hereby respectively empowered to order Restitution to be made to such Tenant, together with his or her Expences and Costs, to be paid by the Lessor or Landlord, Lessors or Landlords, if they shall see cause for the same; and in case they shall affirm the Act of the said Justices, to award Costs not exceeding Five Pounds for the frivolous Appeal.

XVIII. And whereas great Inconveniences have happened, and may happen to Landlords, whose Tenants have Power to determine their Leases, by giving Notice to quit the Pre-